



**TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MEETING MINUTES
FEBRUARY 15, 2017 7:00 P.M.**

Call To Order (Time): 7:06 p.m.

Pledge to Flag:

Roll Call:

Absent Heather Dessauer
Present Chuck Becker
Present John Kiepura
Absent John Foreman
Present Richard Sharpe
Absent Jerry Wilkening
Present Greg Parker

Present Donald Oliphant, Town Engineer – CBBEL
Present David Austgen, Town Attorney
Present Tim Kubiak, Director of Operations
Present Michelle Bakker, Building Administrator
Present Jessica Chick, Recording Secretary

Minutes:

A motion was made by John Kiepura and seconded by Chuck Becker to approve the Minutes for Work Sessions December 7, 2016 & January 4, 2017 and Public Meetings December 21, 2016 & January 18, 2017, as presented.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

Old Business:

1. Watt Holdings, LLC – Preliminary Plat/3-Lot Subdivision

Owner: Monte Watt, 11411 135th Pl., Cedar Lake, IN 46303
Petitioner: Watt Holdings, LLC, 11411 W. 135th Pl., Cedar Lake, IN 46303
Vicinity: 11255 to 11500 W. 136th Pl., Cedar Lake, IN 46303
Legal Description: Muir Woods Outlot A *and* Muir Woods Outlot B *and* Muir Woods Outlot C *and* PT SE1/4 NE1/4 S.29 T.34 R.9 0.209 Ac
Tax Key Number(s): 45-15-29-278-011.000-014 *and* 45-15-29-278-012.000-014 *and* 45-15-29-278-013.000-014 *and* 45-15-29-278-014.000-014

Request: Petitioner is requesting Preliminary Plat/3-Lot Subdivision

Deferred from August 17, 2016 Public Meeting
Deferred from September 21, 2016 Public Meeting
Deferred from October 19, 2016 Public Meeting
Deferred from November 16, 2016 Public Meeting
Deferred from December 21, 2016 Public Meeting
Deferred to May 3, 2017 Public Meeting

1. Town Attorney’s Review:
2. Petitioner’s Comments:
3. Town Engineer’s Comments:
4. Building Department Comments:
5. Commission’s Discussion:
6. Commission’s Decision:

Motion: 1st 2nd

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote

2. Thomas Taylor & Kathryn Devine Taylor-Final Plat/4-Lot Subdivision

Owner:/Petitioner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46307
Vicinity: 13221 Colfax St., Cedar Lake, IN 46303

Legal Description: E.110FT OF S.60RDS. EX. S.350FT. OF SE SE S.23 T.34 R.9 1.386A.
Tax Key Number(s): 45-15-23-478-001.000-043

Request: Petitioner is requesting Final Plat/4-Lot Subdivision

Deferred from December 21, 2016 Public Meeting
Deferred from January 18, 2017 Public Meeting

- 1. Town Attorney’s Review: None
- 2. Petitioner’s Comments: None
- 3. Town Engineer’s Comments: Don Oliphant they gave us a ton of different estimates from different contractors. Went through it and verified quantities, they were justifiably close, so we actually have a number we can set the letter of credit on and the inspection fee. There is minor engineering requirements still remaining, the biggest would be lighting. Performance letter of credit would be \$96,411.70, which is 110 percent of the estimated construction cost of public improvements; the three (3) percent inspection cost will be set at \$2,629.41. There would also be a fee in lieu of park dedication since it is only 4 lots a total of \$1,000.00.
- 4. Building Department Comments: None
- 5. Commission’s Discussion: None

A motion was made by Richard Sharpe and seconded by Chuck Becker to approve the Final Plat for the 4-lot subdivision consistent with the February 15, 2017 letter by Don Oliphant.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepora	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

3. Beacon Pointe-PUD

Owner: Philip Rietveld, 1664 Reitveld Dr., Crete, IL 60417
Petitioner: Beacon Pointe of Cedar Lake LLC, PO Box 677, St. John, IN 46373
Vicinity: 9505 W. 137th Avenue/13900 Parrish Avenue
Legal Description: Part of W1/2 SW1/4 S.27 T.34 R.9 55.96 Ac
Tax Key Number(s): 45-15-27-351-004.000-014

Request: Petitioner is requesting a Rezone from RT, RM, B-2, & B-3 to PUD

- 1. Town Attorney’s Review: David Austgen stated this is ready. Have an ordinance that meets requirements and contract that meets the ordinance requirements with all conditions as previously presented and discussed and the exhibits are attached.
- 2. Petitioner’s Comments: Mr. Anderson is ready to answer any questions and is looking for a positive recommendation to the Town Council so this can move forward.
- 3. Town Engineer’s Comments: None
- 4. Remonstrators: Greg Parker stated a citizen that lives downstream from this is concerned about flooding issues. Jack Hulls, DVG, civil engineers on the project and will address the concerns. The town ordinance requires anytime there is a project along a ditch, there is a DNR process that is required for this project to establish the flood elevation. That study has been completed and submitted to the DNR and there are a couple minor comments, there are no concerns related to the project for that. Don Oliphant stated the storm water ordinance mitigates any kind of increases. By digging out all the detention basins they are required to do it should reduce the actual run off rate from the property.
- 5. Building Department Comments: None
- 6. Commission’s Discussion: David Austgen stated the ordinance, you will certify a recommendation of the zone change, the amendment to the PUD to the Town Council next week. It is drafted into the ordinance and does not become effective until the change of ownership occurs. The ability of the town and the drafting of language into the ordinance that permits the town to enforce any of the conditions of the grant of PUD approval. Recommends to solicit a motion to certify a recommendation probably favorable, to the Town Council for this PUD Zoning classification amendment.

A motion was made by Chuck Becker and seconded by Richard Sharpe to send a favorable recommendation to the Town Council to approve the Rezone from RT, RM, B-2 & B-3 to PUD.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepora	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

New Business:

1. Jeffrey T. Schilling-Preliminary Plat/1-Lot Subdivision & Site Plan

Owner/Petitioner: Jeffrey T. Schilling, 13246 Lakeshore Dr, Unit A302, Cedar Lake, IN 46303
Vicinity: 8328 West 147th Avenue, Cedar Lake, IN 46303
Legal Description: S.120FT. OF N. 220FT. OF S. 673.50FT. OF W.41FT. OF E.131.70 FT. OF NW. SE. S.34 T.34 R.9 .113A. **and** PT. N2 SE S.34 T.34 R.9 .90 AC. '100X389X100X395.80 FT.' & 100 FT. STRIP BET. R. R. & S. SHORE OF CEDAR LAKE &TR. VAC. R. OF W.
Tax Key Number(s): 45-15-34-404-007.000-014
45-15-34-404-008.000-014

Request: Petitioner is requesting a Preliminary Plat/1-Lot Subdivision

1. Town Attorney’s Review: David Austgen stated the legals are in order, newspaper publications have been timely made, notice to adjacents have been made as in evidence by the green card return receipts.
2. Petitioner’s Comments: Jeff Ban with DVG, here with Jeff Schilling, the owner of the property. It is a total of one (1) acre, on the southern tip of Cedar Lake, trying to combine the meets and bounds of the parcels and make it into a one (1) lot subdivision. Have spoken with Don and the plat is in order. Working on some specifics for the site plan. Mr. Ban stated typically you do not have a site plan for a house come before you, the reason we are combing the site plan with this plat is because we have some grading issues that are a little different. Wanted to make sure it was understood what the elevations of the first, second, and upper floor are being impacted by the flood plain of Cedar Lake.
3. Town Engineer’s Comments: Don Oliphant stated the actual plat, have no comments on, it is in order. Still working on the site plan. Discussion on drainage and flood plain.
4. Remonstrators: Gordon Carter, 8418 W. 146th Pl., confused on what one (1) lot subdivision meant.
5. Building Department Comments: Tim Kubiak stated they have the thirty (30) days between the preliminary plat and final plat so can adjust the site plan along with the final plat.
6. Commission’s Discussion: None

A motion was made Richard Sharpe and seconded by John Kiepura to approve the Preliminary Plat contingent on Don Oliphant’s comments.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

Request: Petitioner is requesting a Site Plan

1. Town Attorney’s Review:
2. Petitioner’s Comments:
3. Town Engineer’s Comments:
4. Building Department Comments:
5. Commission’s Discussion:
6. Commission’s Decision:

A motion was made by John Kiepura and seconded by Chuck Becker to defer to the March 15, 2017 Public Meeting.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

2. Centennial Phase 11 – Final Plat Approval

Owner/Petitioner: North Centennial Development, LLC, 8051 Wicker Ave., Ste. A, St. John, IN 46373
Vicinity: Centennial Phase 11, Cedar Lake, IN 46303
Tax Key Number(s): 45-15-28-451-002.000-014

Request: Petitioner is requesting final plat approval for Phase 11 - 3-lots

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1. Town Attorney’s Review: None
2. Petitioner’s Comments: None
3. Town Engineer’s Comments: None
4. Building Department Comments: None
5. Commission’s Discussion: None

A motion was made by Richard Sharpe and seconded by Chuck Becker to approve the Final Plat for Phase 11 of Centennial.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

3. Lighting Ordinance

1. Town Attorney’s Review: None
2. Town Engineer’s Comments: Don Oliphant stated added a public utilities section. NIPSCO wants to do whatever they want, we gave some room so we don’t always need variances. Also a couple of sentences on decorative lighting.
3. Building Department Comments: None
4. Commission’s Discussion: None

A motion was made by John Kiepura and seconded by Richard Sharpe to direct this through the legal process.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Absent	Yes	Yes	Absent	Yes	4-0

Update Item:

1. **Industrial Drive**-Don Oliphant stated still working on it.
2. **Zoning Ordinance**-David Austgen stated he is working on it.

Public Comment: None

Adjournment: 8:03 p.m.

Press Session: Plan Commission Work Session – March 1, 2017 at 7:00pm

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Brooke Faber, Recording Secretary

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.